

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

-----	X	
ROSLYN WILLIAMS, <i>et al.</i> , individually and on behalf	:	
of others similarly situated,	:	
	:	
Plaintiffs,	:	
	:	
v.	:	15-cv-07381 (SJ) (LB)
	:	
APPLE INC.,	:	
	:	
Defendant.	:	
	:	
-----	X	

**REVISED RULE 26(f) MEETING REPORT**

**CASE NAME:** *Williams, et al. v. Apple Inc.*

**DOCKET NO.:** 15-cv-07381 (SJ) (LB)

**Have the parties met and conferred?** Yes. **Date?** Since the Initial Conference on January 25, 2018, the parties have met and conferred telephonically regarding the Revised Rule 26(f) Meeting Report on February 1, February 14, February 16, and February 19, 2018, as well as by e-mail on additional occasions.

**Update on Plaintiffs' production of their iPhones:** The parties have agreed to retain an independent expert for the purposes of turning over custody, control and possession of Plaintiffs' iPhone 4s devices and are continuing to meet and confer to determine if the expert is to conduct any tests on the devices and, if so, the protocol for doing so. The parties have also agreed that Plaintiffs' counsel will maintain the iPhone 4s devices of Plaintiffs Lerman and Vorrasi in the possession of Plaintiffs' counsel as the parties engage in those meet-and-confer discussions. Plaintiffs Gonzalez and Williams do not have the iPhone 4s devices that are the subject of this litigation in their possession. Plaintiffs' counsel are continuing to try to locate the phones of Plaintiffs Gonzalez and Williams that are the subject of this action.

**Date the Rule 26(a)(1) initial disclosures were exchanged?** January 22, 2018.

**Proposed Discovery Plan**

No.	Activity	Deadline
1.	Deadline to join new parties or amend the pleadings:	April 16, 2018. The Plaintiffs reserve the right to move for leave to amend after this date.
2.	Should any changes be made in the	For the avoidance of doubt, the parties agree

No.	Activity	Deadline
	limitations on discovery imposed under the Federal Rules of Civil Procedure or by local rule?	that each side may conduct up to ten depositions of fact witnesses and, additionally, may depose each of the other side's expert witnesses. The parties reserve the right to seek additional depositions should circumstances warrant.
3.	The parties shall complete all fact discovery relevant to class certification issues by:	August 17, 2018.
4.	The parties shall complete expert discovery regarding class certification issues, if necessary, by:	<p>The parties have not been able to reach agreement on the appropriate sequencing of expert disclosures regarding class certification issues.</p> <p><b>The plaintiffs propose:</b></p> <p>August 31, 2018: deadline for affirmative Rule 26(a)(2) expert disclosures; and</p> <p>October 2, 2018: deadline for rebuttal expert disclosures.</p> <p><b>The defendant proposes:</b></p> <p>August 31, 2018: deadline for the plaintiffs' Rule 26(a)(2) expert disclosures, and</p> <p>October 2, 2018: deadline for the defendant's Rule 26(a)(2) expert disclosures.</p> <p><b>The parties propose November 1, 2018 as the deadline for expert discovery regarding class certification issues.</b></p>
5.	<i>Daubert</i> motions for class certification experts:	<p>November 30, 2018: deadline to file <i>Daubert</i> motions;</p> <p>January 8, 2019: deadline to file opposition briefs; and</p> <p>January 22, 2019: deadline to file reply briefs.</p>
6.	Motion for class certification or pre-emptive motion to deny class certification:	<p>January 31, 2019: deadline to file class certification motion;</p> <p>March 8, 2019: deadline to file opposition briefs; and</p>

No.	Activity	Deadline
		April 2, 2019: deadline to file reply briefs.
7.	Request Pre-Motion Conference on Dispositive Motions:	The parties reserve the right to file letters at any time setting forth the basis for a motion for summary judgment and statement pursuant to Local Civil Rule 56.1, pursuant to Judge Johnson Jr.'s Individual Rule III.A.
8.	Merits Discovery and Next Steps:	The parties reserve the right to request a conference on next steps, including merits discovery, at any time.
9.	Should the Court hold an early settlement conference in this action?	No. While the parties are always willing to engage in good faith settlement discussions, a settlement conference would be premature at this time.
10.	Do the parties consent to trial before a magistrate judge pursuant to 28 U.S.C. § 636?	No.

Dated: New York, New York  
February 23, 2018

/s/ Michael Grunfeld

Jeremy A. Lieberman  
Michael Grunfeld  
POMERANTZ LLP  
600 Third Avenue, 20th Floor  
New York, New York 10016  
Telephone: (212) 661-1100  
Facsimile: (212) 661-8665  
Email: jalieberman@pomlaw.com  
Email: mgrunfeld@pomlaw.com

Peretz Bronstein  
Shimon Yiftach  
BRONSTEIN, GEWIRTZ & GROSSMAN,  
LLC  
60 East 42nd Street, Suite 4600  
New York, New York 10165  
Telephone: (212) 697-8209  
Facsimile: (212) 697-7296  
Email: peretz@bgandg.com  
Email: shimony@bgandg.com

*Attorneys for Plaintiffs*

/s/ Keara M. Gordon

Keara M. Gordon  
Daniel C. Harkins  
DLA PIPER LLP (US)  
1251 Avenue of the Americas  
New York, New York 10020  
T 212.335.4500  
F 212.335.4501  
E keara.gordon@dlapiper.com  
E daniel.harkins@dlapiper.com

Raj N. Shah (admitted *pro hac vice*)  
DLA PIPER LLP (US)  
444 West Lake Street, Suite 900  
Chicago, Illinois 60606  
T 312.368.4000  
F 312.236.7516  
E raj.shah@dlapiper.com

*Attorneys for Defendant  
Apple Inc.*